

DIAMOND MCCARTHY, LLP

909 Fannin, Suite 1500
Houston, TX 77010
Telephone (713) 333-5100
Facsimile (713)-333-5199

E-Filed on February 1, 2007

1201 Elm Street, Suite 3400
Dallas, TX 75270
Telephone (214) 389-5300
Facsimile (214) 389-5399

6504 Bridgepoint Parkway, Suite 400
Austin, TX 78730
Telephone (512) 617-5200
Facsimile (512) 617-5299

Allan B. Diamond, TX State Bar No. 05801800
Email: adiamond@diamondmccarthy.com
Eric D. Madden, TX State Bar No. 24013079
Email: emadden@diamondmccarthy.com

Special Litigation Counsel for Official Committee of
Unsecured Creditors of USA Commercial Mortgage Company

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:
USA COMMERCIAL MORTGAGE COMPANY,

Debtor.

Case Nos.:
BK-S-06-10725-LBR
BK-S-06-10726-LBR
BK-S-06-10727-LBR
BK-S-06-10728-LBR
BK-S-06-10729-LBR

In re:
USA CAPITAL REALTY ADVISORS, LLC,

Debtor.

In re:
USA CAPITAL DIVERSIFIED TRUST DEED
FUND, LLC,

Debtor.

JOINTLY ADMINISTERED
Chapter 11 Cases

Judge Linda B. Riegle Presiding

In re:
USA CAPITAL FIRST TRUST DEED FUND,
LLC,

Debtor.

**DESIGNATION OF LOCAL COUNSEL
AND CONSENT THERETO**

In re:
USA SECURITIES, LLC,

Debtor.

Affects:
☒ All Debtors
☒ USA Commercial Mortgage Company
☒ USA Capital Realty Advisors, LLC
☒ USA Capital Diversified Trust Deed Fund, LLC
☒ USA Capital First Trust Deed Fund, LLC
☒ USA Securities, LLC

The undersigned, special litigation counsel for the Official Committee of
Unsecured Creditors for USA Commercial Mortgage Company, herein has submitted to

1 the Court a "Verified Petition for Permission to Practice in this Case Only." I am not
2 admitted to the bar of this Court, but Lewis and Roca LLP does maintain offices in the
3 District of Nevada for the practice of law. I believe it to be in the best interest of the
4 client, the Official Committee of Unsecured Creditors, to designate Rob Charles, attorney
5 at law, member of the State Bar of Nevada and previously admitted to practice before the
6 above-entitled Court, as associate local counsel in this action. The address of said
7 designated Nevada Counsel is: Rob Charles (Bar Code #006593), 3993 Howard Hughes
8 Parkway, Suite 600, Las Vegas, NV 89169, Telephone: (702) 949-8320, Facsimile (702)
9 949-8321, Email: rcharles@lrlaw.com.

10 By designation the undersigned attorneys and parties agree that all documents and
11 other papers issued out of this Court in the above-entitled case may be served on the
12 designated local counsel. Further, said local counsel shall be responsible for providing
13 copies of the same to the co-counsel. Further, this designation constitutes agreements and
14 authorization by the undersigned for the designated local counsel to sign stipulations
15 binding on all of us. The time for performing any act under applicable Rule shall run from
16 the date of service on the local counsel.

17
18 /s/ Allan B. Diamond (TX#05801800)
19 Allan B. Diamond
20 Diamond McCarthy, LLP
21 909 Fannin, Suite 1500
22 Houston, TX 77010
23 Telephone: 713-333-5100
24 Facsimile: 713-333-5199
25 *Special Litigation Counsel for the Official*
26 *Committee of Unsecured Creditors for*
USA Commercial Mortgage Company

CONSENT OF DESIGNATED NEVADA COUNSEL

The undersigned hereby consents to serve as associate Nevada counsel in this case and agrees that he is responsible for being counsel upon whom all documents and other papers issued out of this Court shall be served, and that he is responsible to transmit copies of all documents and other papers so served to the admitted out-of-state counsel of record and to keep such counsel informed as to the status of the case.

/s/ RMC (#0006593)
Rob Charles
Lewis and Roca LLP
3993 Howard Hughes Parkway, Suite 600
Las Vegas, NV 89109
Facsimile (702) 949-8321
Telephone (702) 949-8320
Designated Nevada Counsel

1 **APPOINTMENT OF DESIGNATED NEVADA COUNSEL**

2

3 The undersigned party appoints Rob Charles as Designated Nevada Counsel in this

4 case.

5 /s/Allan B. Diamond (TX#05801800)
6 Allan B. Diamond
7 Diamond McCarthy, LLP
8 909 Fannin, Suite 1500
9 Houston, TX 77010
10 Telephone: 713-333-5100
11 Facsimile: 713-333-5199
12 *Special Litigation Counsel for the Official*
13 *Committee of Unsecured Creditors for*
14 *USA Commercial Mortgage Company*